



## DEPARTMENT OF COMMERCE

### International Trade Administration

[A-570-893]

#### **Certain Frozen Warmwater Shrimp from the People's Republic of China: Final Results of Antidumping Duty Administrative Review and Final Determination of No Shipments; 2021-2022**

**AGENCY:** Enforcement and Compliance, International Trade Administration, Department of Commerce.

**SUMMARY:** The U.S. Department of Commerce (Commerce) continues to find that Zhangzhou Hongwei Foods Co., Ltd. (Zhangzhou Hongwei) and Zhanjiang Regal Integrated Marine Resources Co., Ltd. (Zhanjiang Regal), exporters of certain frozen warmwater shrimp (shrimp) from the People's Republic of China (China) under review, had no shipments of subject merchandise during the period of review (POR), February 1, 2021, through January 31, 2022. Commerce also continues to find that the 134 remaining companies subject to this review are part of the China-wide entity because they did not demonstrate their eligibility for separate rates.

**DATES:** Applicable [Insert date of publication in the *Federal Register*].

**FOR FURTHER INFORMATION CONTACT:** Eric Hawkins, AD/CVD Operations, Office V, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue, NW, Washington, DC 20230; telephone: (202) 482-1988.

#### **SUPPLEMENTARY INFORMATION:**

##### Background

On October 25, 2022, Commerce published the *Preliminary Results* of this administrative

review in the *Federal Register*.<sup>1</sup> No interested party submitted comments concerning the *Preliminary Results*. Accordingly, no decision memorandum accompanies this *Federal Register* notice and no changes have been made in the final results of this review. Commerce is conducting this review in accordance with section 751(a)(1)(B) of the Tariff Act of 1930, as amended (the Act)

#### Scope of the Order<sup>2</sup>

The product covered by this *Order* is shrimp from China. For a complete description of the scope, see the *Preliminary Results*.<sup>3</sup>

#### Final Determination of No Shipments

Commerce preliminarily found that Zhangzhou Hongwei and Zhanjiang Regal had no shipments during the POR. As noted in the *Preliminary Results*, we received no shipment statements from the two exporters identified above and the statements were consistent with the information we received from U.S. Customs and Border Protection (CBP).

We received no comments from interested parties with respect to the *Preliminary Results*. Therefore, for these final results, we continue to find that these two exporters had no shipments of subject merchandise to the United States during the POR and will issue appropriate liquidation instructions that are consistent with our “automatic assessment” clarification for these final results.<sup>4</sup>

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<sup>1</sup> See *Certain Frozen Warmwater Shrimp from the People’s Republic of China: Preliminary Results of Antidumping Duty Administrative Review and Preliminary Determination of No Shipments; 2021-2022*, 87 FR 64438 (October 25, 2022) (*Preliminary Results*), and accompanying Preliminary Decision Memorandum (PDM).

<sup>2</sup> See *Notice of Amended Final Determination of Sales at Less Than Fair Value and Antidumping Duty Order: Certain Frozen Warmwater Shrimp from the People’s Republic of China*, 70 FR 5149 (February 1, 2005) (*Order*).

<sup>3</sup> See *Preliminary Results* PDM at 3-4.

<sup>4</sup> See *Non-Market Economy Antidumping Proceedings: Assessment of Antidumping Duties*, 76 FR 65694 (October 24, 2011) (*Assessment Practice Refinement*).

## China-Wide Entity

With the exception of Zhangzhou Hongwei and Zhanjiang Regal, Commerce considers all other companies for which a review was requested to be part of the China-wide entity because they did not demonstrate their separate rate eligibility.<sup>5</sup> Accordingly, the companies listed in the appendix are part of the China-wide entity. No party commented on the *Preliminary Results* with respect to these companies' separate rate ineligibility. Therefore, for these final results, we determine that these 134 companies at issue are part of the China-wide entity.

Because no party requested a review of the China-wide entity and Commerce no longer considers the China-wide entity as an exporter conditionally subject to administrative reviews, we did not conduct a review of the China-wide entity.<sup>6</sup> The rate previously established for the China-wide entity is 112.81 percent and is not subject to change as a result of this review.<sup>7</sup>

## Assessment Rates

Commerce will determine, and CBP shall assess, antidumping duties on all appropriate entries covered by this review in accordance with section 751(a)(2)(C) of the Act. Based on record evidence, we have determined that Zhangzhou Hongwei and Zhanjiang Regal had no shipments of subject merchandise, and, therefore, pursuant to Commerce's assessment practice, any suspended entries entered under their case numbers will be liquidated at the China-wide entity rate.<sup>8</sup>

For all remaining companies subject to this review, which are part of the China-wide entity, we will instruct CBP to liquidate their entries at the current rate for the China-wide entity (*i.e.*, 112.81 percent). Commerce intends to issue assessment instructions to CBP no earlier than

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<sup>5</sup> See *Initiation of Antidumping and Countervailing Duty Administrative Reviews*, 87 FR 21619 at 21620 (April 12, 2022) ("All firms listed below that wish to qualify for separate rate status in the administrative reviews involving NME countries must complete, as appropriate, either a Separate Rate Application or Certification, as described below.").

<sup>6</sup> See *Antidumping Proceedings: Announcement of Change in Department Practice for Respondent Selection in Antidumping Duty Proceedings and Conditional Review of the Nonmarket Economy Entity in NME Antidumping Duty Proceedings*, 78 FR 65963, 65969-70 (November 4, 2013).

<sup>7</sup> See *Order*.

<sup>8</sup> For a full discussion of this practice, see *Assessment Practice Refinement*, 76 FR at 65694.

35 days after the date of publication of the final results of this review in the *Federal Register*. If a timely summons is filed at the U.S. Court of International Trade, the assessment instructions will direct CBP not to liquidate relevant entries until the time for parties to file a request for a statutory injunction has expired (*i.e.*, within 90 days of publication).

#### Cash Deposit Requirements

The following cash deposit requirements will be effective upon publication of the final results of this administrative review for shipments of the subject merchandise from China entered, or withdrawn from warehouse, for consumption on or after the publication date of the final results of this administrative review, as provided by section 751(a)(2)(C) of the Act: (1) the cash deposit rates for the two companies that had no shipments during the POR will remain unchanged from the rates assigned to them in the most recently completed segment for each company; (2) for previously investigated or reviewed Chinese and non-Chinese exporters that have separate rates and for which a review was not requested, the cash deposit rate will continue to be the exporter-specific rate published for the most recently completed segment of this proceeding; (3) for all Chinese exporters of subject merchandise that have not been found to be entitled to a separate rate, the cash deposit rate will be the rate for the China-wide entity (*i.e.*, 112.81 percent); and (4) for all non-Chinese exporters of subject merchandise that have not received their own rate, the cash deposit rate will be the rate applicable to the Chinese exporter that supplied that non-Chinese exporter. These deposit requirements, when imposed, shall remain in effect until further notice.

#### Administrative Protective Order

This notice also serves as the only reminder to parties subject to an administrative protective order (APO) of their responsibility concerning the return or destruction of proprietary information disclosed under APO in accordance with 19 CFR 351.305(a)(3). Timely written notification of the return or destruction of APO materials or conversion to judicial protective

order is hereby requested. Failure to comply with the regulations and terms of an APO is a violation subject to sanction.

Notification to Importers

This notice also serves as a final reminder to importers of their responsibility under 19 CFR 351.402(f)(2) to file a certificate regarding the reimbursement of antidumping duties prior to liquidation of the relevant entries during this POR. Failure to comply with this requirement could result in Commerce's presumption that reimbursement of antidumping duties occurred and the subsequent assessment of double antidumping duties.

Notification to Interested Parties

These final results of administrative review are issued and published in accordance with sections 751(a)(1) and 777(i)(1) of the Act, and 19 CFR 351.221(b)(5).

Dated: February 16, 2023.

Ryan Majerus,  
Deputy Assistant Secretary  
for Policy and Negotiations.

## Appendix

### Companies Not Eligible for a Separate Rate

1. Allied Pacific Aquatic Products (Zhanjiang) Co., Ltd./Allied Pacific Food (Dalian) Co., Ltd.
2. Anhui Fuhuang Sungem Foodstuff Group Co., Ltd.
3. Asian Seafoods (Zhanjiang) Co., Ltd.
4. Beihai Anbang Seafood Co., Ltd.
5. Beihai Boston Frozen Food Co., Ltd.
6. Beihai Evergreen Aquatic Product Science and Technology Company Limited
7. Beihai Tianwei Aquatic Food Co. Ltd.
8. Changli Luquan Aquatic Products Co., Ltd.
9. Chengda Development Co Ltd.
10. Colorful Bright Trade Co., Ltd.
11. Dalian Beauty Seafood Company Ltd.
12. Dalian Changfeng Food Co., Ltd.
13. Dalian Guofu Aquatic Products and Food Co., Ltd.
14. Dalian Haiqing Food Co., Ltd.
15. Dalian Hengtai Foods Co., Ltd.
16. Dalian Home Sea International Trading Co., Ltd.
17. Dalian Philica International Trade Co., Ltd.
18. Dalian Philica Supply Chain Management Co., Ltd.
19. Dalian Rich Enterprise Group Co., Ltd.
20. Dalian Shanhai Seafood Co., Ltd.
21. Dalian Sunrise Foodstuffs Co., Ltd.
22. Dalian Taiyang Aquatic Products Co., Ltd.
23. Dandong Taihong Foodstuff Co., Ltd.
24. Dongwei Aquatic Products (Zhangzhou) Co., Ltd.
25. Ferrero Food
26. Fujian Chaohui Group
27. Fujian Chaowei International Trading
28. Fujian Dongshan County Shunfa Aquatic Product Co., Ltd.
29. Fujian Dongwei Food Co., Ltd.
30. Fujian Dongya Aquatic Products Co., Ltd.
31. Fujian Fuding Seagull Fishing Food Co., Ltd.
32. Fujian Haihun Aquatic Product Company
33. Fujian Hainason Trading Co., Ltd.
34. Fujian Hongao Trade Development Co.
35. Fujian R & J Group Ltd.
36. Fujian Rongjiang Import and Export Co., Ltd.
37. Fujian Zhaoan Haili Aquatic Co., Ltd.
38. Fuqing Chaohui Aquatic Food Co., Ltd.
39. Fuqing Dongwei Aquatic Products Industry Co., Ltd.
40. Fuqing Longhua Aquatic Food Co., Ltd.
41. Fuqing Minhua Trade Co., Ltd.
42. Fuqing Yihua Aquatic Food Co., Ltd.
43. Gallant Ocean Group
44. Guangdong Foodstuffs Import & Export (Group) Corporation
45. Guangdong Gourmet Aquatic Products Co., Ltd.
46. Guangdong Jinhang Foods Co., Ltd.
47. Guangdong Rainbow Aquatic Development
48. Guangdong Shunxin Marine Fishery Group Co., Ltd.

49. Guangdong Taizhou Import & Export Trade Co., Ltd.
50. Guangdong Universal Aquatic Food Co. Ltd.
51. Guangdong Wanshida Holding Corp.
52. Guangdong Wanya Foods Fty. Co., Ltd.
53. HaiLi Aquatic Product Co., Ltd.
54. Hainan Brich Aquatic Products Co., Ltd.
55. Hainan Golden Spring Foods Co., Ltd.
56. Hainan Qinfu Foods Co., Ltd.
57. Hainan Xintaisheng Industry Co., Ltd.
58. Huazhou Xinhai Aquatic Products Co. Ltd.
59. Kuehne Nagel Ltd. Xiamen Branch
60. Leizhou Bei Bu Wan Sea Products Co., Ltd.
61. Longhai Gelin Foods Co., Ltd.
62. Maoming Xinzhou Seafood Co., Ltd.
63. New Continent Foods Co., Ltd.
64. Ningbo Prolar Global Co., Ltd.
65. North Seafood Group Co.
66. Pacific Andes Food Ltd.
67. Penglai Huiyang Foodstuff Co., Ltd.
68. Penglai Yuming Foodstuff Co., Ltd.
69. Qingdao Fusheng Foodstuffs Co., Ltd.
70. Qingdao Yihexing Foods Co., Ltd.
71. Qingdao Yize Food Co., Ltd.
72. Qingdao Zhongfu International
73. Qinhuangdao Gangwan Aquatic Products Co., Ltd.
74. Raoping YuXiang Aquaculture Co., Ltd.
75. Rizhao Meijia Aquatic Foodstuff Co., Ltd.
76. Rizhao Meijia Keyuan Foods Co. Ltd.
77. Rizhao Rongjin Aquatic
78. Rizhao Rongxing Co. Ltd.
79. Rizhao Smart Foods Company Limited
80. Rongcheng Sanyue Foodstuff Co., Ltd.
81. Rongcheng Yinhai Aquatic Product Co., Ltd.
82. Rushan Chunjiangyuan Foodstuffs Co., Ltd.
83. Rushan Hengbo Aquatic Products Co., Ltd.
84. Savvy Seafood Inc.
85. Sea Trade International Inc.
86. Shanghai Finigate Integrated
87. Shanghai Zhoulian Foods Co., Ltd.
88. Shantou Freezing Aquatic Product Foodstuffs Co.
89. Shantou Haili Aquatic Product Co. Ltd.
90. Shantou Haimao Foodstuff Factory Co., Ltd.
91. Shantou Jiazhou Food Industrial Co., Ltd.
92. Shantou Jinping Oceanstar Business Co., Ltd.
93. Shantou Jintai Aquatic Product Industrial Co., Ltd.
94. Shantou Longsheng Aquatic Product Foodstuff Co., Ltd.
95. Shantou Ocean Best Seafood Corporation
96. Shantou Red Garden Food Processing Co., Ltd./Shantou Red Garden Foodstuff Co., Ltd.
97. Shantou Ruiyuan Industry Co., Ltd.
98. Shantou Wanya Foods Fty. Co., Ltd.
99. Shantou Yuexing Enterprise Company
100. Shengyuan Aquatic Food Co., Ltd.

101. Suizhong Tieshan Food Co., Ltd.
102. Thai Royal Frozen Food Zhanjiang Co., Ltd.
103. Tongwei Hainan Aquatic Products Co., Ltd.
104. Time Seafood (Dalian) Company Limited
105. Xiamen East Ocean Foods Co., Ltd.
106. Xiamen Granda Import and Export Co., Ltd.
107. Yangjiang Dawu Aquatic Products Co., Ltd.
108. Yangjiang Guolian Seafood Co., Ltd.
109. Yangjiang Haina Datong Trading Co.
110. Yantai Longda Foodstuffs Co., Ltd.
111. Yantai Tedfoods Co., Ltd.
112. Yantai Wei-Cheng Food Co., Ltd.
113. Yixing Magnolia Garment Co., Ltd.
114. Zhangzhou Donghao Seafoods Co., Ltd.
115. Zhangzhou Fuzhiyuan Food Co., Ltd.
116. Zhangzhou Tai Yi Import & Export Trading Co., Ltd.
117. Zhangzhou Xinhui Foods Co., Ltd.
118. Zhangzhou Xinwanya Aquatic Product Co., Ltd.
119. Zhangzhou Yanfeng Aquatic Product & Foodstuff Co., Ltd.
120. Zhanjiang Evergreen Aquatic Product Science and Technology Co., Ltd.
121. Zhanjiang Fuchang Aquatic Products Co., Ltd.
122. Zhanjiang Fuchang Aquatic Products Freezing Plant
123. Zhanjiang Go-Harvest Aquatic Products Co., Ltd.
124. Zhanjiang Guolian Aquatic Products Co., Ltd.
125. Zhanjiang Longwei Aquatic Products Industry Co., Ltd.
126. Zhanjiang Universal Seafood Corp.
127. Zhaoan Yangli Aquatic Co., Ltd.
128. Zhejiang Evernew Seafood Co.
129. Zhejiang Xinwang Foodstuffs Co., Ltd.
130. Zhenye Aquatic (Huilong) Ltd.
131. Zhoushan Genho Food Co., Ltd.
132. Zhoushan Green Food Co., Ltd.
133. Zhoushan Haizhou Aquatic Products
134. Zhuanghe Yongchun Marine Products

[FR Doc. 2023-03794 Filed: 2/23/2023 8:45 am; Publication Date: 2/24/2023]